

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

**FILED**  
CHARLOTTE, NC  
JUL 31 2007  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA,  
Plaintiff,

v.

CASE NO. 1:91CV95-V  
(Financial Litigation Unit)

BOB ALLEN,  
Defendant(s),

and

SUMMIT BUILDING SUPPLY,  
Garnishee,

**ANSWER OF THE GARNISHEE**

STOKES AUSTIN, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant)

**IF GARNISHEE IS AN INDIVIDUAL:**

That he/she is Garnishee herein doing business in the name of:

\_\_\_\_\_  
(State full name and address of business)

**IF GARNISHEE IS A PARTNERSHIP:**

That he/she is a member \_\_\_\_\_ of  
a partnership composed of which Garnishee is a partner.

**IF GARNISHEE IS A CORPORATION:**

That he/she is the (State Official Title) PRESIDENT of Garnishee,  
B.N.A., Inc., d/b/a Summit Building Supply Corporation, organized under the laws of the State  
of North Carolina.

On the 19th day of July, 20 07, Garnishee was served with the Writ of  
Continuing Garnishment. For the pay period in effect on the date of service, the garnishee states as  
follows:

Yes No

X —

1. Defendant/debtor was in my/our employ.

X —

2. Pay period is X weekly, — bi-weekly — semi-monthly, — monthly.

7/16/07

a. Enter date on which the present pay period began.

(Present means the pay period in which this order and notice of garnishment  
were served)

7/20/07

b. Enter date on which the above pay period ends.



- The Garnishee makes the following claim of exemption on the part of Defendant/debtor as set forth in the Notice to Defendant Debtor on How to Claim Exemptions attached hereto:
- The Garnishee has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Defendant/debtor upon Plaintiff's claim as attached hereto and made a part hereof as Exhibit \_\_\_\_\_.
- The Garnishee was then in no manner and upon no account indebted or under liability to the Defendant/debtor, and the Garnishee did not have in his/her possession or control any property or funds belonging to the Defendant/debtor, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action.

THIS THE 27 DAY OF JULY 2007.

Stokes Austin  
STOKES AUSTIN

SWORN TO AND SUBSCRIBED before me on this the 27 day of July 2007. WITNESS  
my hand and official seal

Miguel  
NOTARY PUBLIC

My Commission Expires: 2/13/10.



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**ATTACHMENT TO ANSWER OF GARNISHEE**

The Original Answer must be mailed to:

**Clerk of the United States District Court**  
**401 West Trade Street**  
**Charlotte, NC 28202**

and a copy of this Answer must be mailed to:

Jennifer A. Youngs, Assistant United States Attorney  
United States Attorney's Office  
Financial Litigation Unit  
227 West Trade Street, Suite 1650  
Charlotte, NC 28202

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CERTIFICATE OF SERVICE

The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,

Name: Bob Allen

Address: 1548 Schronce Creek Rd., Burnsville, NC 28714.

and (2) the Assistant United States Attorney for the United States, Jennifer A. Youngs, Financial  
Litigation Unit, 227 West Trade Street, Suite 1650, Charlotte, North Carolina, 28202.

Donny J. Laws  
Garnishee (print and sign name) ATTY. FOR GARNISHEE

Subscribed and sworn to before me this 27 day of July, 2007.

[Signature]  
Notary Public

My Commission expires: 2/13/10.